

§ 42.3

in the Department pursuant to the Department's Equal Employment Opportunity Regulations. In rendering decisions, the Complaint Adjudication Officer shall order such remedial action as may be appropriate, whether or not there is a finding of discrimination, but in cases where no discrimination is found any remedial action ordered shall have the prior approval of the Assistant Attorney General in charge of the Civil Rights Division, who shall consult with the Deputy Attorney General on the matter.

[Order No. 420-69, 34 FR 12281, July 25, 1969, as amended by Order No. 721-77, 42 FR 25725, May 19, 1977; Order No. 731-77, 42 FR 35646, July 11, 1977; Order No. 899-80, 45 FR 43703, June 30, 1980; Order No. 960-81, 46 FR 52357, Oct. 27, 1981]

§ 42.3 Responsibility for Department of Justice Equal Opportunity Recruitment Program.

The Assistant Attorney General for Administration shall be responsible for establishing and implementing the Department of Justice Equal Opportunity Recruitment Program under 5 U.S.C. 7201.

[Order No. 865-79, 44 FR 77157, Dec. 31, 1979, as amended by Order No. 960-81, 46 FR 52357, Oct. 27, 1981]

Subpart B [Reserved]

Subpart C—Nondiscrimination in Federally Assisted Programs—Implementation of Title VI of the Civil Rights Act of 1964¹

AUTHORITY: 42 U.S.C. 2000d-2000d-7; E.O. 12250, 45 FR 72995, 3 CFR, 1980 Comp., p. 298.

SOURCE: Order No. 365-66, 31 FR 10265, July 29, 1966, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes by Order No. 2679-2003 appear at 68 FR 51364, Aug. 26, 2003.

§ 42.101 Purpose.

The purpose of this subpart is to implement the provisions of title VI of the Civil Rights Act of 1964, 78 Stat. 252 (hereafter referred to as the "Act"), to the end that no person in the United

¹See also 28 CFR 50.3. Guidelines for enforcement of Title VI, Civil Rights Act.

28 CFR Ch. I (7-1-04 Edition)

States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Justice.

§ 42.102 Definitions.

As used in this subpart—

(a) The term *responsible Department official* with respect to any program receiving Federal financial assistance means the Attorney General, or Deputy Attorney General, or such other official of the Department as has been assigned the principal responsibility within the Department for the administration of the law extending such assistance.

(b) The term *United States* includes the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and all other territories and possessions of the United States, and the term *State* includes any one of the foregoing.

(c) The term *Federal financial assistance* includes:

- (1) Grants and loans of Federal funds,
- (2) The grant or donation of Federal property and interests in property,
- (3) The detail of Federal personnel,
- (4) The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and
- (5) Any Federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

(d) The terms *program or activity* and *program* mean all of the operations of any entity described in paragraphs (d)(1) through (4) of this section, any part of which is extended Federal financial assistance: